REMARKS

Claims 1, 2, 4, 6-7, 10, 15-17, 19 and 20 are pending. The specification has been amended to correct obvious errors in naming the compounds set forth in Example 6. The correct nomenclatures would be readily apparent to those skilled in the art, and the amendments do not constitute new matter.

Information Disclosure Statement

Applicants enclose a legible copy of non-patent literature publications, a copy of the referenced Japanese patent, and a courtesy copy of the Form PTO-1449 previously submitted on April 1, 2004. Applicants respectfully request consideration of the enclosed references.

Rejection under 35 U.S.C. §112, second paragraph

The Office rejected claim 1 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. In particular, the Office indicated that there is no definition of "R1 and R2" in the claim, whereas the figure in claim 1 recites such groups. Applicants respectfully disagree.

The chemical structure corresponding to formula (1) recites an "R^1" group, which is defined as a group selected from "halo, substituted or unsubstituted alkyl, substituted or unsubstituted hydroxyl, substituted or unsubstituted amino, substituted or unsubstituted thiol, and substituted or unsubstituted acyl." The Office mistakenly alleges that formula (1) recites an "R^2" group. Rather, formula (1) recites an "R" group, such as in "CR_2," which indicates the presence of two R groups bonded to the carbon atom, where "R" is defined as "H or alkyl (1-6C)."

Based on the above, claim 1 is clear and definite, and Applicants respectfully request that this rejection be withdrawn.

Rejections under 35 U.S.C. §112, first paragraph

The Office rejected claim 1 under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement, and indicates that this rejection can be

overcome by deleting the term "prodrug forms." To expedite prosecution, Applicants have amended claim 1 to delete the objected term and respectfully request that this rejection be withdrawn.

Rejections Under Obviousness-Type Double Patenting

The Office provisionally rejected claims 1, 2, 4, 6, 7, 10, 15-17, 19, and 20 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable under claims 21, 55, and 66 of copending Application No. 10/329,329; under claim 35 of copending application No. 10/446,170, and under claims 35 and 46 of copending application No. 10/457,034. If this rejection becomes the sole rejection in the present application, the provisional obviousness-type double patenting rejection should be withdrawn to permit the application to issue as a patent, thereby converting the provisional double patenting rejection in the other applications into a double patenting rejection at the time of issuance of this application.

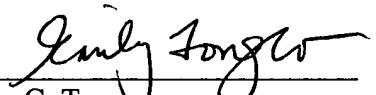
CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 391442005902. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 4, 2005

Respectfully submitted,

By 

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